

ATTACHMENT B

PSC-14-08

PROPOSAL EVALUATION CRITERIA

I. BASIS OF AWARD

- A.** The Commission will award the contract to the responsible Offeror whose offer conforms to the solicitation and is most advantageous to the Commission, taking into consideration cost and other criteria set forth in this document and based upon the specified evaluation criteria.
- B.** In evaluating and selecting an Offeror, the Commission may award the contract to a higher-rated, higher-priced Offeror where the offer is consistent with the evaluation criteria set forth herein, and the Commission determines that any added benefits are worth the price premium. While the Commission shall strive to exercise maximum objectivity, the source selection process by its very nature is subjective and professional judgment is implicit and necessary.

II. EVALUATION OF PROPOSALS

- A.** Proposals will be evaluated in two major evaluation areas:
 - 1. Non-Cost: Non-Cost is comprised of:
 - Legal; and
 - Certified Business Enterprise Participation (hereafter referred to as “CBE”).
 - 2. Cost/Price.
- B.** Within the Non-Cost area, the Legal evaluation element is comprised of two factors: (1) Legal Approach, and (2) CBE. The maximum number of points that may be awarded for the factors in the Non-Cost area are reflected below:

▪ Legal Area	100 points
▪ CBE	12 points
▪ Maximum Non-Cost Total Points	112 points
- C.** Cost/Price will not be given a specific score, however it will be carefully considered in performing an integrated assessment of the proposals leading to selection of the best value offeror.

- D.** Regarding the points in the Non-Cost evaluation, the total point scores will not be necessarily determinative of award. Offerors should recognize that Cost/Price may also contribute substantially to the contract award decision. As the evaluation of competing offeror proposals in the Non-Cost area become more equal in rating, the more important Cost/Price will become in selecting best value to the Commission.
- E.** The Commission reserves the right to reject any or all proposals determined to be inadequate or unacceptable, or to cancel this Request for Proposals, regardless of evaluation, if it is determined to be in the best interest of the Commission.
- F.** The Commission may award a contract on the basis of initial offers received, without discussion. Therefore, each initial proposal should contain the Offeror's best terms for both Non-Cost and Cost/Price.

III. NON-COST FACTORS FOR AWARD

A. FACTOR: Legal Approach 50points

The Legal evaluation criteria in the Scope of Work ("SOW") are:

1. The general breadth of knowledge, experience, and quality of past performance of the Offeror as an attorney, especially with respect to administrative law, adjudication, and litigation. Offeror's skill level with respect to writing, legal reasoning, and performing legal research. Ability and experience in working with limited supervision, as the hearing officer will be working largely without the benefit of day-to-day supervision. **40 points.**
2. Knowledge, experience, and quality of past performance in utility law and in working for and legal practice before public service commissions or state corporation commissions. Knowledge, experience, and quality of past performance regarding local telephone, electric, and natural gas service. **10 points.**

B. FACTOR: Experience and Project Staff 50Points

1. Experience and quality of past performance specifically working as a hearing officer, administrative law judge, other adjudicatory officer, and/or mediator which are similar to those required by this solicitation, including supervising hearing officers, administrative law judges, other adjudicatory officers, and/or mediators. **50 points.**

C. FACTOR: CBE 12 points

Pursuant to the provisions of the Small, Local and Disadvantaged Business Enterprise Development and Assistance Act of 2005, (D.C. Official Code § 2-218.01 *et seq.*) a maximum of 12 points may be awarded to bidders who meet the Act's

definition(s) of Small, Local and Disadvantaged Business Enterprises. The award of preference points will be made as follows in accordance with the Law: 1) local business enterprises receive four participation points; 2) disadvantaged businesses receive three participation points; 3) businesses with resident ownership receive three participation points; and, 4) businesses located in enterprise zones receive two participation points. No business shall be permitted to receive preference points unless the enterprise has been issued a certificate of registration under the provisions of this law.

IV. COST/PRICE FACTORS FOR AWARD

The Cost/Price proposal will be assessed for completeness and realism. Cost will not be given a specific score and/or weight, but will be closely considered in performing an integrated assessment of the proposals leading to the selection of the best value Offeror.

- A. Completeness:** To be complete, Offeror must provide all of the cost/pricing data that is necessary to adequately evaluate the proposal. The Commission will assess the extent to which the cost/price proposal complies with the content and format requirements set forth in the solicitation.
- B. Realism:** Realism is evaluated by assessing the compatibility of proposed costs with the proposal's scope and efforts. Cost realism analysis seeks to ensure that proposed costs are consistent with the SOW requirements. If an Offeror's proposed cost/price is evaluated as unrealistically low or high, compared to anticipated costs of performance, it may be interpreted by the Commission as an inherent lack of understanding of requirements and may adversely affect the Offeror's evaluation rating and potential to be awarded the contract.

V. NON-COST RATING SCALE

The Commission will evaluate and assign a numeric/adjectival rating to the Non-Cost areas of the proposal using the following rating scale:

Non-Cost Proposal Rating Scale

Numerical Point Rating	Rating	Description
0 -19	Unacceptable	Fails to meet minimum requirements, major deficiencies
20 - 39	Poor	Marginally meets minimum requirements, significant deficiencies.
40 – 59	Acceptable	Meets requirements, only minor deficiencies.

60 – 79	Good	Meets requirements, no deficiencies.
80 – 100	Excellent	Exceeds most, if not all requirements, no deficiencies.

VI. MINIMUM NON-COST SCORING REQUIREMENT

Offerors must achieve a minimum of **75 or more points** for the Non-Cost areas of their proposal in order to be considered for contract award. Offerors who do not meet the 75 points minimum will be deemed Legally deficient and therefore will not be given further consideration by the Commission. The Commission will not evaluate the Cost/Price area for those Offerors who do not meet the minimum Non-Cost scoring requirement.